

REMARKS

The present application was filed on April 6, 2000 with claims 1-38.

In the Office Action, the Examiner indicated that claims 1-11, 13-22 and 31-38 were canceled, and that claims 12 and 30 were allowed. Claims 23-29 were rejected under §103(a) as being unpatentable over U.S. Patent No. 5,771,358 (hereinafter “LaBerge”) in view of U.S. Patent No. 5,993,261 (hereinafter “Klatt”).

In this response, Applicants amend claim 23, and add new claims 39-67.

Claim 23 has been amended to clarify that each of the backplane sub-buses comprises a different physical portion of a single backplane bus. Support for the amendment can be found in the specification, for example, in FIG. 1A and at page 19, lines 26-28.

In the Appeal Decision dated February 11, 2005, at page 6, second and third paragraphs, the Board indicated with reference to independent claim 1 and certain of its dependent claims that “we find no language . . . which sets forth that the plurality of backplane sub-buses are physical portions of a given bus, nor do we find any language in those claims precluding time slots from constituting the plurality of sub-buses.” The amendment to claim 23 is intended to provide such language, so as to clarify that the claimed plurality of sub-buses cannot be construed as constituting time slots of a time-multiplexed bus.

In the LaBerge reference, there is no demand-based allocation of sub-buses which comprise respective physical portions of a single backplane bus. Instead, LaBerge teaches to allocate “a time period or bandwidth window during which the bus requestor can transmit data across the processor bus 12.” See LaBerge at column 3, lines 12-15. The Klatt reference fails to supplement this fundamental deficiency of LaBerge as applied to amended claim 23. Accordingly, claim 23 as amended and its associated dependent claims are believed allowable over the proposed combination of LaBerge and Klatt.

New claims 39-49 correspond generally to canceled claims 1-11, but with an additional limitation reciting generally that each of the backplane sub-buses comprises a different physical portion of a single backplane bus.


New claims 50-59 correspond generally to canceled claims 13-22, but with an additional limitation reciting generally that each of the backplane sub-buses comprises a different physical portion of a single backplane bus.

New claims 60-67 correspond generally to canceled claims 31-38, but with an additional limitation reciting generally that each of the backplane sub-buses comprises a different physical portion of a single backplane bus.

As the number and type of the new claims correspond exactly to the number and type of the cancelled claims, it is believed that no additional claim fee is due.

In view of the foregoing, the pending claims are believed to be in condition for allowance, and such action is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, reading "Joseph B. Ryan". The signature is fluid and cursive, with the first name "Joseph" and last name "Ryan" clearly legible, and "B." in the middle.

Date: September 23, 2005

Joseph B. Ryan
Attorney for Applicant(s)
Reg. No. 37,922
Ryan, Mason & Lewis, LLP
90 Forest Avenue
Locust Valley, NY 11560
(516) 759-7517